

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Casey McCann	Team: Squad #14	CCRB Case #: 202006127	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 05/29/2020 10:00 PM	Location of Incident: Lafayette Avenue and Classon Avenue	Precinct: 88	18 Mo. SOL 11/29/2021	EO SOL 5/4/2022	
Date/Time CV Reported Wed, 09/09/2020 2:12 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 09/09/2020 2:12 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. DTS Russell Thatcher	00688	911404	E S U
2. DTS Sean Dequatro	00813	938330	E S U

Officer(s)	Allegation	Investigator Recommendation
A.DTS Sean Dequatro	Force: Detective Sean DeQuatro struck § 87(2)(b) with a vehicle.	
B.DTS Russell Thatcher	Force: Detective Russell Thatcher struck § 87(2)(b) with a vehicle.	
C.DTS Sean Dequatro	Abuse: Detective Sean DeQuatro damaged § 87(2)(b)'s property.	
D.DTS Russell Thatcher	Abuse: Detective Russell Thatcher damaged § 87(2)(b)'s property.	
§ 87(4-b), § 87(2)(g)		
§ 87(4-b), § 87(2)(g)		

Case Summary

On September 9, 2020, § 87(2)(b) filed this complaint with the CCRB via telephone on behalf of § 87(2)(b) whom she encountered at protest in memory of George Floyd and did not know prior to this incident.

On May 29, 2020, at approximately 10 p.m., in the vicinity of Lafayette Avenue and Classon Avenue in Brooklyn, Detectives Sean DeQuatro and Russell Thatcher of the Emergency Services Unit (ESU) struck a cyclist, § 87(2)(b) with their van (**Allegations A and B: Force, § 87(2)(g)**). § 87(2)(b)'s bicycle was damaged as a result of the collision (**Allegations C and D: Abuse of Authority, § 87(2)(g)**). § 87(4-b), § 87(2)(g) No arrests or summonses resulted from this incident.

§ 87(2)(b) took a video on her cell phone immediately after the collision, which will be discussed in further detail below. There was no body-worn camera footage of this incident, as the incident did not require BWC activation as per the NYPD Patrol Guide.

Findings and Recommendations

Allegation (A) Force: Detective Sean DeQuatro struck § 87(2)(b) with a vehicle.

Allegation (B) Force: Detective Russell Thatcher struck § 87(2)(b) with a vehicle.

Allegation (C) Abuse of Authority: Detective Sean DeQuatro damaged § 87(2)(b)'s property.

Allegation (D) Abuse of Authority: Detective Russell Thatcher damaged § 87(2)(b)'s property.

The investigation established the following facts: On May 29, 2020, at approximately 10 p.m., Detectives DeQuatro and Thatcher were responding to calls requesting additional units and assistance near the 88th Precinct stationhouse in Brooklyn due to protestors at the location. An unidentified individual set off a firework within the crowd causing protestors to flee the area of the 88th Precinct stationhouse. § 87(2)(b) who was present in the area where the firework went off, had his bicycle with him and began to leave. As § 87(2)(b) left the area, he had his head turned behind him in the direction of the crowd. When § 87(2)(b) turned around, he collided with Det. DeQuatro's and Det. Thatcher's unmarked van near the intersection of Lafayette Avenue and Classon Avenue in Brooklyn. Detectives Thatcher and DeQuatro immediately exited the van and offered § 87(2)(b) medical attention, which he denied. § 87(2)(b) had no visible injuries at the time of the collision and left the location. § 87(2)(b)'s bicycle was damaged as a result of the collision.

§ 87(2)(b) (BR 01) testified that when he left the crowd, he traveled east on his bicycle wearing his helmet on Lafayette Avenue, which is a one-way street with a bike lane. § 87(2)(b) however, was not riding his bicycle in the bike lane. § 87(2)(b) did not know if Det. DeQuatro's and Det. Thatcher's van was moving or stationary at the time of the collision, as the collision occurred immediately after he turned his head around and looked forward. § 87(2)(b) immediately made contact with the van on his left side near the windshield and fell off the van onto his right side. § 87(2)(b) denied medical attention at the scene because he "felt fine," but later suffered a large bruise on his left bicep and shoulder area. As a result of the impact, the "front fork" of § 87(2)(b)'s bike was twisted and the "top down frame" was snapped. § 87(2)(b) provided the investigation with photographs of the damage to his bike, which showed parts of the bike that appeared dented or bent (BR 02-04)

§ 87(2)(b) (BR 05) testified that Det. DeQuatro's and Det. Thatcher's van was traveling in the wrong direction on either Lafayette Avenue or Classon Avenue, but she could not recall which one. The van traveled approximately 10 to 15 miles per hour and did not have lights or sirens activated, nor were any announcements made over a loudspeaker. § 87(2)(b) who was riding his bike to the right of § 87(2)(b) was actively pedaling it, but was not traveling quickly due to the oncoming van. The front passenger's side of the van struck § 87(2)(b) on the

left part of his body, causing § 87(2)(b) to fall off the bike. § 87(2)(b) “could not say” if Detectives DeQuatro and Thatcher intentionally struck § 87(2)(b) with the van, but it “didn’t seem like they tried to avoid” the collision. § 87(2)(b) did not see any injuries on § 87(2)(b) but spoke with § 87(2)(b) and obtained his phone number to send the cell phone video she recorded.

§ 87(2)(b) said her roommate, known only as § 87(2)(b) was also present for the incident. However, § 87(2)(b) was uncooperative with the investigation and thus a statement from her was not obtained.

§ 87(2)(b) provided cell phone video (BR 06-07) she took immediately after the collision occurred. The video depicts Detectives DeQuatro and Thatcher outside of their van. Det. DeQuatro asks § 87(2)(b) who is not visible, “Do you need an ambulance, sir? You don’t need an ambulance?” § 87(2)(b) responds, “Correct,” and appears to be lifting his bicycle off the ground. § 87(2)(b) says, “All right, guys. I’m all right.” Det. DeQuatro says, “If you’d like, we can evaluate your injuries.” A voice says, “I’m good, man,” or something similar – the audio is not completely clear.

Detectives DeQuatro and Thatcher (BR 08-09) provided consistent testimony that Det. DeQuatro was operating the vehicle. Det. DeQuatro added that the lights and sirens of the van were activated. Det. Thatcher, however, testified that sirens on the van were activated, but he did not know if the van was equipped with lights. As the detectives traveled in the direction of the 88th Precinct stationhouse “very slowly,” estimated to be approximately five miles per hour due to double parked vehicles on the street, Det. Thatcher saw § 87(2)(b) running next to his bike with his hands on the handlebars. § 87(2)(b)’s head was turned behind him. Det. Thatcher told Det. DeQuatro to stop the van because § 87(2)(b) could not see them traveling, as his head was turned. Det. DeQuatro stopped the van and immediately after doing so, § 87(2)(b) ran into the front passenger’s side of the van and fell to the ground. § 87(2)(b) denied medical attention after several offers and also denied the preparation of any report. § 87(2)(b) then left the location on his bicycle.

§ 87(2)(g)

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- This is the first complaint to which § 87(2)(b) [REDACTED] has been a party (BR 12).
- Det. Thatcher has been a member of service for 28 years and this is the first complaint to which he has been a subject.
- Det. DeQuatro has been a member of service for 15 years and this is the first complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- As of November 9, 2020, the Office of the New York City Comptroller has no record of a Notice of Claim being filed regarding this incident (BR 13).
- According to the Office of Court Administration (OCA), § 87(2)(b) [REDACTED] has no history of criminal convictions in New York City (BR 14).
- According to OCA, § 87(2)(b) [REDACTED] has no history of criminal convictions in New York City (BR 15).

Squad No.: 14

Investigator: Casey McCann Inv. Casey McCann 01/06/2021
Signature Print Title & Name Date

Squad Leader: Cassandra Fenkel IM Cassandra Fenkel 01/06/2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date